Arizona Corporation Commission DOCKETED

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## Before the ARIZONA CORPORATION COMMISSION

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2011 MAY 10 P 4: 04

In the Matter of the Application of TracFone Wireless, Inc. for Designation as an Eligible Telecommunications Carrier in the State of Arizona for the Limited Purpose of Offering Lifeline Service to Qualified Households in Arizona

AZ CORP COMMISSION

DOCKET CONTROL

TO 206644 OR 0148

Docket No. T-20664A-09-0148

## TRACFONE WIRELESS, INC.'S SECOND SUPPLEMENTAL COMPLIANCE FILING

TracFone Wireless, Inc. ("TracFone"), by its undersigned counsel, submits this Second Supplemental Compliance Filing in accordance with the March 1, 2011 Order in this matter.

The March 1, 2011 Order states that TracFone shall file an affidavit stating that it has submitted letters (as well as attach to its filing such letters) to the Arizona Department of Administration; the Arizona Commission for the Deaf and Hard of Hearing (Telecommunications Relay Service); and the Arizona Corporation Commission, seeking a determination as to whether the fees, over which the agencies have jurisdiction, apply to TracFone's services as an Eligible Telecommunications Carrier in Arizona. TracFone filed the required affidavit and letters with the Commission on March 31, 2011.

The March 1, 2011 Order further provides that TracFone shall, within 10 days of receipt, file as a compliance item in this docket any response(s) or determinations by the above agencies of the applicable and/or non applicable fees to be paid by TracFone. TracFone received a response from the Arizona Commission for the Deaf and Hard of Hearing on May 9, 2011. By this filing, TracFone provides a copy of the response as Attachment 1.

<sup>&</sup>lt;sup>1</sup> Although the letter from the Arizona Commission for the Deaf and Hard of Hearing is dated April 29, 2011, the letter was not received by TracFone's counsel until May 9, 2011.

Respectfully submitted,

Julie R. Barton

GREENBERG TRAURIG LLP 2375 E. Camelback Road, Suite 700 Phoenix, AZ 85016 (602)445-8416

Mitchell F. Brecher Debra McGuire Mercer GREENBERG TRAURIG, LLP 2101 L Street, NW Suite 1000 Washington, D.C. 20037 (202) 331-3100

Counsel for TracFone Wireless, Inc.

May 10, 2011

## **CERTIFICATE OF SERVICE**

This is to certify that I have duly served TracFone Wireless, Inc.'s Second Supplemental Compliance Filing electronically and by U.S. Mail on all parties listed, as indicated, on the 10<sup>th</sup> day of May, 2011, addressed as follows:

Yvette B. Kinsley Administrative Law Judge Arizona Corporation Commission 1200 W. Washington Street Phoenix, AZ 85007 ykinsley@azcc.gov \* via electronic mail

Arizona Reporting Services, Inc. 2200 N. Central Avenue Suite 502 Phoenix, Arizona 85004

Janice Alward, Chief Counsel Legal Division Arizona Corporation Commission 1200 W. Washington Street Phoenix, AZ 85007 jalward@azcc.gov \* via electronic mail

Steven M. Olea, Director Utilities Division Arizona Corporation Commission 1200 W. Washington Street Phoenix, AZ 85007 solea@azcc.gov \* via electronic mail Maureen Scott
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Craig A. Marks Craig A. Marks, PLC 10645 N. Tatum Blvd. Ste. 200-676 Phoenix, AZ 85028 Craig.Marks@azbar.org \* via electronic mail

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## **Attachment 1**

Janice K. Brewer Governor



Sherri L. Collins Executive Director

April 29, 2011

Michael F. Brecher Greenberg Traurig, LLP 2101 L Street NW, Suite 1000 Washington, DC 20037

RE: TracFone Wireless Inc. - Arizona Telecommunications Relay Service Fund

Dear Mr. Brecher,

The Arizona Commission for the Deaf and the Hard of Hearing is funded by the tax; however, we do not collect it Our agency does not have authority and cannot comment on the applicability of the tax to Tracfone. Please contact the Arizona Department of Revenue for further clarification.

Sincerely,

Sherri L. Collins Executive Director